Mr. P. V. Raphael *(Comptroller of Finance and Accounts):* You will ask for 10,000 today, on another occasion you will ask for 15,000. Where is the limit?

Resolution put and carried.

(*b*) NON-OFFICIAL RESOLUTIONS

RESOLUTION No. 38 *(cont.)*

Introduction of a Bill providing for an instalmental scheme of payments of the debts

"This Council recommends to the Government to introduce a bill providing for an instalmental scheme of payment of the debts of the agriculturists spreading over a period of at least 15 years.

[Mr. M. K. Devassy]

Mr. A. V. Moothedan *(Chalakkudi):* I have introduced several bills for instalment payment and I had fixed 6 years. I do not know whether my friend's ambition will be fulfilled for getting instalment payment for 15 years. On account of the present economic conditions there is great difficulty for finding money and discharging debts. There is a general uncertainty among the people and therefore lands in towns cannot be sold. Especially in the port area many of the houses are vacant. In the rural places the price of land is high. Very many people are asking for land. Here, in Cochin and Ernakulam, there is nobody to purchase land. Therefore, even though this resolution is generally worded something should be done in the matter. If not 15 years, some time should be given.

Mr. V. J. Mathai *(Planters):* Sir, I rise to oppose this motion. However much one may want to remain silent really speaking at times one's blood begins to boil. What is this resolution? That all debts of agriculturists should be spread over a period of 15 years. If only you go into the implications of this proposition you will understand the seriousness of the resolution. I do not know what are the terms to be used as against this resolution. Take, for example, the case of a bank. It is a sweeping proposition. There are no exemptions. The Agriculturist Debtors' Relief Act remains on the Statute Book and as soon as this a recommendation is made to the Government that the Government should bring a Bill making all debts in the State payable in the course of 15 years.

In the first place, you must remember that there are banks which are existing on credit. Do you mean to say that banks which take money from people on fixed deposits, savings bank accounts and current accounts and advance them as loans to other people should be asked to wait for 15 years to get their money? Very many of the debtors of the banks are agriculturists. 90 per cent of the people in the State are agriculturists, and I believe that at least 75 per cent of all the debtors of the banks will be agriculturists. Therefore, you say that 75 per cent of the constitutents of a bank need pay their debts back only within 15 years. The whole point is, why you are not allowing the benefit to such institutions in this country such as banks on the solvency of which the credit of the State depends. If a law is passed like that today all the current amounts will be exhausted in one minute. The monies due to the bank will be given back only in 15 years because most of the men are agriculturists. Take kuries. We all know that so far as the Cochin State is concerned kuries are an institution born with the land. The very structure of the kuries is that while a few individuals periodically pay a particular subscription to the kuri one lump sum ought to be paid to the person who bids the kuri or gets the prize. Now, so far as the kuri is concerned if all the subscribers are agriculturists and if the kuri debts are included in this the kuries will be unable to pay any money to the winners or to the people who bid the kuries. Therefore, the kuries will fail. The banks will fail. Take the case of individuals who are not agriculturists but who have lent money. Take the case of shop-keepers who have lent their money to the agriculturists. These shop-keepers might have borrowed money from banks and because they are excluded from the category of agriculturists they do not get the advantage of this resolution. Therefore, all the shops will fail. If this proposition is given effect to it will be doing the work of a nihilist. It is as clear as the day. Therefore, if it is the intention of the mover to destroy everybody in the world this proposition can be accepted.

Mr. K. R. Viswambharan *(Ezhuvas-Talappalli):* Will he remain?

Mr. V. J. Mathai *(Planters):* I don't know. Under the new circumstances he may remain. Suppose an agriculturist in this land where dowries are prominent has to marry away his daughter next year. By hard toil for a period of 30 years he might have made Rs. 1,000 to send away his daughter in marriage and that he has lent to another agriculturist. That agriculturist need pay back only in 15 years. Therefore, this agriculturist's daughter must

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wait for 15 years for her marriage. There is only one word in the English language which will apply to this resolution and that is the word "absurd". If it is unparliamentary I may be excused. I am sure the House will not expect me to go further to expose the absurdities and inconsistencies underlying this motion. I do think that most of these questions have been discussed at the time of the passing of the Agriculturists' Relief Act. Unless you want to destroy the whole country I do not think anybody will support this resolution.

Mr. K. M. Ibrahim *(Cranganur):* Sir, with all the voluminous verbal acrobatics of my Hon'ble friend for Planters I have not as yet been convinced that this resolution that is now before the House is as himalayainly absurd as my Hon'ble colleague laboured to make out. My Hon'ble friend has started the whole discussion under the mistaken impression that the resolution asks for instalment re-payment system of all debts, whether agriculturist or non-agriculturist. That was how he started and it was only when I corrected him that he started in another direction. Opposing for opposition's sake seems to be the idea of the Hon'ble member. This is only a very modest resolution asking for protection for a limited number of His Highness' subjects. The gravest apprehension of the Hon'ble member is that 90 per cent of our population, consisting of agriculturists, would be adversely affected by the Motion. I should say that this is one of the most unfounded propositions that have ever been heard on the floor of this House. He thinks—only wrongly—that by this term "agriculturists" 90 per cent of our population will be exhausted. "Agriculturists" has got a certain definite definition. Only people owning land will be agriculturists; a pauper cannot be an agriculturist. And that too not all who own land. Only people who pay a revenue up to Rs. 1,000, according to our present Agriculturists' Relief Act, will be agriculturists. So my submission to this Hon'ble House is that the position that 90 per cent of the subjects of His Highness will be affected by the resolution is patently untrue. It has been argued that the Doomsday will come into this blessed land of honey and milk if this is passed. Banks will close, merchants will collapse, families will go to rack and ruin and every organised machinery of credit will crash and the whole State will plunge into a state of chaos and all this for this resolution! I maintain, Mr. President, that this is one of the strangest pleas that I have ever heard in support of a weak case. We in this State have already attempted at very drastic measures to meet such critical situations as the present one. We have had Proclamations on two occasions—however short—staying executions against agriculturists. But this State has not gone to the hell imagined by the Hon'ble member. We enacted an Agriculturists' Relief Act whereby all the accruing interest on agricultural debts up to 1107 was wiped off and we reduced the rate of interest therefrom. We effected ever so many changes to the existing machinery and still Cochin State is Cochin State. The same argument of credit machinery being dislocated and the whole population being harassed by that was raised by the propounder of this theory. But the Government moved on with progressive measures and the State has only gained by that. Believe me gentlemen, when I say that Mr. Mathai went to the extent of calling the Diwan Peishkar once in this House "Public Enemy No. 1" for having opposed a Motion for the declaration of a perpetual Moratorium in the State. *(Loud laughter).*

I would just like to dwell on one or two points that have been raised by the Hon'ble Diwan Peishkar as the spokesman of the Government while this proposition was moved in this House. The Mover of the resolution was only in passing comparing the remedy which he wants here to a similar remedy that is being worked out in Travancore. The Hon'ble Diwan Peishkar was saying that by mentioning the authority of the Travancore legislation we would only lose the case. But my submission to this House is that he was pointing to it only as a parallel legislation and he was not making out a case that our legislation was inferior to the Travancore legislation. The Hon'ble Diwan Peishkar has met that point by saying that there is fundamental differences between the agricultural legislation there and here. My submission to this House is that so far as the point of giving instalment to the debtors of the country in view of the unprecedented economic conditions is concerned a neighbouring State has already given us a practical lead and the Hon'ble Mover Mr. Devassy was only pointing to it as an authority for his argument. The next most important point dealt with by the Hon'ble Diwan Peishkar on that occasion was how after the passing of our Agriculturists' Relief Act of 1115 there has not been any cry in this State for changes in this direction. I submit that that position is not at all correct. Even the Select Committee appointed to consider the Agriculturists' Relief Act, one of whom was this Humble Self, reported for 6 years annual instalment payment of agricultural debts. But the Government then categorically stated in this House that the whole legislation would be wrecked on this very amendment. The Government then took an uncompromising and threatening attitude. We were, naturally forced to recede from our position. But to say that after the passing of the Agriculturists' Relief Act there has been no movement, no cry, no organised

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demand to change the system of repayment of agricultural debts is not correct. This Hon'ble House through its elected members has already made out a strong recommendation for six years annual payment and so I beg to submit to the House that this agitation for instalment system is as old as the Agriculturists' Relief Bill which has received the gracious assert of His Highness the Maharaja. My contention, Sir, is that even before the cyclone came, even before we were inundated with the floods, there was a case made out by the public opinion in this State to give an instalment system of repayment to the agriculturists. The Hon'ble mover argued out that the already existing agitation for this instalment system was all the more aggravated by the cyclone and the floods and then the Hon'ble Diwan Peishkar tried to meet his point by saying that even the so called floods and cyclone were not floods and cyclone at all. He was saying that only a small number of trees have fallen and only a limited proportion of crops has been destroyed. But I submit that the number of trees fallen alone is not the criterion of the vast havoc that has happened to the agriculturists of the land. Even the standing trees have been shaken to their foundations and for years to come the yield from these trees will be very much decreased. Under all these constitutional and elemental circumstances the general principle of this instalment system cannot be voted against by this House; provision, however, may be effected in the statute to cover any exceptional and abnormal cases.

The House rose for lunch at 1 p.m. and re-assembled at 2-30 p.m. with M.R.Ry. K. Ayyappan Avl., Deputy President, in the Chair.

Mr. M. Raman Menon *(Offg. Diwan Peishkar) :* Sir, My predecessor has dealt with the matter so elaborately and so convincingly that I never thought that I would be called upon to deal with it again. But I will state the position of the Government with regard to this resolution in a general way.

If the principle of this resolution is accepted there is sure to be very serious repercussions on the other sections of the community. No doubt, if the resolution is accepted it will go to help the agriculturists especially those who are unable to pay and to a very small extent those who are unwilling to pay. They can avoid paying for the present. To help a few of these agriculturists I do not know whether we will be justified in adopting the principle underlying this resolution.

Mr. A. B. Salem *(Mattancheri) :* Supposing an agriculturist today borrows some money. That also will be repaid in 15 years. In that case will anybody give him any money. The whole credit will go and we will be doing a disservice to the agriculturists themselves.

Mr. M. Raman Menon *(Offg. Diwan Peishkar) :* That is a very serious point. Only those who are unable to pay and unwilling to pay the existing debts will profit by this. In future, they will really get nothing.

The other sections of the people may have very many demands in anticipation of realising the amounts due to them. Now by accepting the principle of this resolution a man who has no money is helped and thereby a man who has money but is kept out of it is put to trouble. That will be a very serious proposition.

Then again, debts will invariably be unsecured. By allowing 15 years' time the solvency of the man might be impaired and will leave the creditor without any remedy. And, after all, why are we now so anxious about this grant of time for the payment of the amount. It is all based upon the cyclone and the cyclone took place more than a year ago. Till this year, if they are honest people, they have had ample time to adjust themselves. At such a time to put all the other sections of the people into this confusion may not be very justifiable. For these reasons, I do not think it will be necessary for me to deal with the other points. Generally speaking, this may not be of any help to the agriculturists themselves. As Mr. Salem pointed out, they will lose all their credit. Nobody will be coming forward to advance to them any amount. In fact the community which will be mostly affected will be the agricultural community to help whom this resolution has been brought forward. So the Government have to oppose this resolution.

Mr. M. K. Devassy *(Adur) :* Sir, unfortunately or fortunately, I do not pretend to possess that peculiar culture often obtained among the inmates of a lunatic assylum to call all sensible men who approach them as the real lunatics. Nor has it been my practice to find in malarial tracts and infectious if impossible to exist in a profession and create new conditions regions and cultivate wandering habits. Nor can it be the fault of this resolution that it cannot cater to the peculiar tendencies of any particular type of blood which boils in and out of place. I have been very carefully examining the arguments advanced against this resolution from several quarters of this House. Some have been contending that this resolution would mean the complete abolition of the existing social order. I only wish to point out to this House that this

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is but a follower of the several legislations which have preceded the introduction of this legislation in the neighbouring State as well as in other British Indian provinces. When the Cochin Agriculturists' Relief Bill was introduced in this House, unfortunately, the Government or the Select Committee were not in a position to consider the Bombay Debt Relief Bill which, among its provisions contained a substantial provision for instalment payment extending over a long period. As I have submitted at the very introduction of this resolution, the Travancore Debt Relief legislation is based on the Bombay legislation and by that reason is far superior to our Agriculturists' Relief Act in the sense that it afforded real relief to the agriculturists by giving them sufficiently long period for the payment of the debts. The provocation for the introduction of this resolution for me was really the cyclone. When the Proclamation of His Highness the Maharaja granted a temporary moratorium to the agriculturists of the State, I was expecting in all reasonable possibilities that it will be followed by a debt relief legislation (Hear, Hear). I would always contend that a moratorium not followed by a Debt Relief legislatian will be a positive disservice to the debtors for the simple reason that by the extended time execution petitions are only increasing in number against them with no possibility of increasing the possibility of repayment. I, therefore, found it rather surprising when the Government expressed its inability to pass a Debt Relief Bill or granting an instalment payment at the termination of that period of moratorium. I may point out to this House that the period for instalment granted to the Travancore legislation is 9 years. Comparatively the period of 15 years may appear to be radical to some of you. My purpose in bringing this resolution is only to request the Government to introduce a Bill to this effect. It is for this House to consider whether the 15 years' time suggested by me is too radical or not when the bill is discussed. It is for this House again to consider whether the legislation recommended by this resolution is to be so comprehensive and applicable to all institutions of the State or whether it is necessary to make any exceptions then. I only point out to this House that it is only proper and reasonable that in meeting a very extraordinary situation created by the cyclone and in following the very moderate principles accepted by our neighbouring States and provinces that our Government also should go at least to some extent. I was astounded at the arguments raised by some of the redoubtable opponents of this resolution that this House had the opportunity of liberally discussing the Cochin Agriculturists' Bill. I suppose everyone in this House knows the peculiar conditions and circumstances under which the Cochin Agriculturists' Bill was passed and that the Bill in that form has never been accepted by this House as a satisfactory measure. It has been accepted by this House as an inevitable alternative in dealing with a Government which was not fully in the hands of the people. When, therefore a Bill was pushed through this House at the point of the bayonet the sense of public service in every responsible member of this House made him feel that he should accept what little was given and fight for more afterwards. I am only echoing the sentiments expressed by the several party leaders of the House at the third reading of the Bill that it was the fervent expectation that in the near future the Government will find its way to bring it on a par with the legislations obtained elsewhere. It is surprising that some of the Hon'ble members had the sense to oppose this resolution against the very hopes entertained by this House at the time of the passing of the Agriculturists' Relief Bill. I do not think I will be justified in taking more time of this House. The purpose of the resolution is clear. The difficulties pointed out can be removed at the time the Bill is introduced. It is only proper that at this critical stage in the history of our people we should do something for them. I cannot agree with the Diwan Peishkar when he said that the cyclone is pretty old. I would ask him how old is the cyclone lottery.

Resolution put and lost.

Mr. V. J. Mathai *(Planters)*: A poll, Sir.

Ayes

1. Mr. K. R. Viswambharan
2. Mr. M. L. Joseph
3. Mr. T. A. Ramachandra Ayyar
4. Mr. M. K. Devassy
5. Mr. T. P. Poulose
6. Mr. K. S. Panikkar
7. Mr. K. M. Ibrahim
8. Mr. K. R. Achyutan
9. Mr. C. V. Iyyu
10. Mr. K. R. Ramakrishnan and
11. Mr. C. K. S. Mony

Noes

1. Mrs. Thankamma N. Menon
2. Mrs. C. R. Iyyunni
3. Mr. A. B. Salem
4. Mr. C. R. Iyyunni
5. Mr. P. Govinda Menon
6. Mr. K. Kochukunhan Kaimal
7. Dr. A. R. Menon
8. Mr. V. J. Mathai

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9. Mr. E. Ikkanda Warriar
10. Mr. A. Eachara Menon
11. Mr. C. Kunhan Nambudiripad
12. Mr. C. Ittiravi Nambudiripad
13. Mr. N. Govinda Pai
14. Mr. P. V. Raphael
15. Mr. V. K. Aravindaksha Menon
16. Mr. I. N. Menon
17. Mr. B. V. K. Menon
18. Mr. V. K. Kutty
19. Mr. N. S. Radhakrishna Sarma
20. Mr. M. Raman Menon
21. Rama Varmha Tampuran
22. Dr. T. Verghese
23. Mr. C. J. Mathew
24. Mr. T. Nayarana Menon
25. Mr. C. Karunakaran Nayar and
26. Mr. M. Narayana Menon

11 for and 26 against

RESOLUTION No. 39

Opening of a canal for draining Kizhakkumpuram padam and Karingachira padam nilams

"This Council recommends to the Government that a canal may be opened for draining the Kizhakkumpuram padam and Karingachira padam nilams in the Thiruvankulam village"

Mr. V. J. Mathai *(Planters):* Sir, the matter is wellknown to this House and I do not propose to make a long speech. The Kizhakkumpuram padam is a vast extent of paddy fields, the exact acreage of which I expect the Chief Engineer to give. This lies in the Thiruvankulam and other contiguous villages and to make it more popularly known I may say that when you go to Chottanikara you will see a portion of that. That paddy field practically encircles the Chottanikara hills. You might have noted that it is practically a single crop *nilam*. The reason is this. The whole area is hilly and it so happens that the water from the Travancore side also comes to this side. There is practically no outlet from the *padam* to the west. The next *padam* is Karingachira. These series of *nilams* are practically surrounded by hills and the water flows only through Chithrappuzha, so that in fact you want drainage. If you give drainage facilities, all these lands will become double crop lands. You hear the propaganda for the creation of more food stuffs. For this you need only open a canal. The Karingachira padam is waterlogged every year. The whole extend of *nilams* from Karingachira to Keecheri will be tens of thousands of paddy fields; I dare say that a minimum of 15,000 *paras* of paddy fields. If a canal is dug instead of the single crop we get now, double crops can be obtained which will be something to alleviate the condition of the poor, by obtaining nearly a lakh of *paras* of paddy. I think, the Chief Engineer knows all these things. Another important thing is that we will be opening a canal for traffic directly for the villages of Nadamel, Thekkumbhagom, Thiruvankulam, Kanayannur, Mulanthuruthi, Amballur, Kulayettikkara, Kaippattur and Keecheri. Nowadays boats have to go through Travancore territory. Taking of certain articles through Travancore is prohibited, for example, tobacco. Then several articles cannot be taken through backwater without a permit. Now by this we will be opening up a direct canal through Cochin territory.

During summer season you will have to put a *"Cheerppu"*. But you can open it at times or you can even close it for the duration. But the fact becomes more important when the ten villages are easily connected with the backwater. For these reasons then, firstly because of the increase in food production secondly since it will be important to the rural population and thirdly since it opens up an easier and better means of navigation, I press this motion for the acceptance of this House.

മിസ്റ്റർ വി. കെ. കട്ടി: ഇതിന്റെ എത്ര ചിലവുവരും?

മിസ്റ്റർ വി. ജെ. മത്തായി: ചിലവു വളരെ കുറച്ചുവരികയുള്ളൂ.

മിസ്റ്റർ വി. കെ. കട്ടി: I second the resolution. ഈ കനാലിന്റെ എത്ര ചിലവു വരുമെന്നു ഗവർമ്മെണ്ടിന്നുപറയുവാൻ ഭയമുണ്ടോകുമോ?

മിസ്റ്റർ വി. കെ. അരവിന്ദാക്ഷമേനോൻ: അറുപതിനായിരം ഉറുപ്പിക ചിലവുവരും.

Mr. T. P. Poulose *(Kanayannur):* I support this resolution. It is unnecessary to dwell upon what the mover has stated. Anyhow this is a canal much to the use of the public there. Last month when the Hon'ble Minister was addressing a meeting there about food production this was one of the demands put forward by the people. I request the Chief Engineer will take the matter into consideration.

Mr. V. K. Aravindaksha Menon *(Chief Engineer):* Sir, the question of this canal has been under the consideration of Government for many years. The area served by this canal is

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